

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CITY OF ALMATY, KAZAKHSTAN and BTA
BANK JSC,

Plaintiffs,

15 Civ. 5345 (JGK) (KHP)

-against-

MUKHTAR ABLYAZOV, VIKTOR
KHRAPUNOV, ILYAS KHRAPUNOV, and
TRIADOU SPV S.A.,

Defendants.

**DECLARATION OF MATTHEW L. SCHWARTZ IN SUPPORT OF PLAINTIFFS' MOTION
FOR AN ORDER HOLDING ILYAS KHRAPUNOV IN CONTEMPT AND FOR ENTRY OF
JUDGMENT FOR THE AMOUNT OF PAST-DUE SANCTIONS**

1. I am a partner in the law firm of Boies Schiller Flexner LLP, counsel for Plaintiffs in the above-captioned case. I make this declaration in support of Plaintiffs' motion for an order holding Ilyas Khrapunov in contempt and for entry of a judgment of the amount of past-due sanctions he owes Plaintiffs.

2. On May 4, 2022, Judge Parker ordered Ilyas Khrapunov to pay \$221,285.31 in sanctions to Plaintiffs within 30 days, which would have been June 3, 2022. ECF No. 1494 at 12.

3. On May 5, 2022, I provided Ilyas's attorney of record in this matter, Andrew Solomon, with a copy of the order with wire instructions. A true and correct copy of that correspondence is attached hereto as Exhibit A.

4. Ilyas did not pay any of the sanctions award to Plaintiffs by June 3, 2022.

5. On June 17, 2022, my colleague followed up with Ilyas's counsel on the status of the payment by email. Neither Ilyas nor his counsel responded. On August 26, 2022, my colleague

notified Ilyas's counsel by email that Plaintiffs had not yet received payment from Ilyas and intended to file this motion if they did not receive payment by September 2, 2022. A true and correct copy of this correspondence is attached hereto as Exhibit B.

6. On November 4, 2022, Ilyas's counsel responded and said he would speak with his client to "see what can be done." *See Exhibit B.*

7. Plaintiffs have not received any payment from Ilyas of the sanctions award or any further response to their correspondence relating to the sanctions award at all.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
January 9, 2023

/s/ Matthew L. Schwartz
Matthew L. Schwartz